IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:10-CV-250-D

WB MUSIC CORP., et al.,)
Plaintiffs,)
v.	ORDER
NIGHTCLUBS, INC,)
DARYL EDWARD HUMPHREY,)
and DAVIS LOUIS HUMPHREY,)
)
Defendants.)

On June 21, 2010, plaintiffs filed their complaint [D.E. 1]. On July 20, 2010, plaintiffs filed a motion for entry of default [D.E. 14]. Defendants did not respond to the motion for default. On July 2 and July 19, 2010, plaintiffs filed civil summons showing return of service [D.E. 11, 12, 13]. Plaintiffs did not file affidavits of service as required by Rule 4(l)(1) of the Federal Rules of Civil Procedure. On August 9, 2010, defendants filed an answer to plaintiffs' complaint [D.E. 15]. All parties appear to be represented by counsel.

The court has considered plaintiffs' motion for default [D.E. 14]. The motion is DENIED. The court WARNS that if the parties or counsel fail to meet any other deadlines or act in accordance with the rules of this court, sanctions (up to and including dismissal) will be imposed. Cf. Hathcock v. Navistar Int'l Transp. Corp., 53 F.3d 36, 40–41 (4th Cir. 1995).

SO ORDERED. This 19 day of January 2011.

JAMES C. DEVER III United States District Judge